

REMARKS

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants' understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

In the Office Action, claims 9, 10, 12, 13, 15, 18, and 19 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2001/0004414 to Kuhn et al. ("Kuhn"); claims 9 and 15 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,663,296 to Blair et al. ("Blair"); claims 11, and 16-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kuhn; claims 13 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kuhn in view of U.S. Patent Publication No. 2003/0091304 to Tonai et al. ("Tonai"); claims 1-8, 16, 17, and 20-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kuhn in view of JP 358121001 to Shirasaki.

By this amendment, claims 1, 4, 9, 10, and 20 are amended and claims 8, 18, 21, 24, and 25 are canceled without waiver or disclaimer to the subject matter of those claims.

Rejections Under 35 U.S.C. §102(b/e)

Applicants traverse the rejection of claims 9, 10, 12, 13, 15, 18, and 19 under 35 U.S.C. § 102(b) as being anticipated by Kuhn for at least the reason that Kuhn fails to disclose or suggest each and every element of the claimed invention. With respect to claim 9, Kuhn fails to disclose or suggest at least "a mount configured to position the optical component within at least a portion of the port... and wherein the mount is configured to hold a portion of the first facet of the optical component against the housing." Kuhn does not disclose a mount as claimed. Because Kuhn does not disclose or suggest each and every element of the claimed invention, claim 9 is in

condition for allowance. Claims 10, 12, 13, 15, and 19 are allowable at least for their dependency on claim 9. Claim 18 was canceled, obviating the rejection. For at least these reasons, the rejection of claims 9, 10, 12, 13, 15, 18, and 19 under 35 U.S.C. § 102(b) should be withdrawn.

Applicants traverse the rejection of claims 9 and 15 were rejected under 35 U.S.C. § 102(e) as being anticipated by Blair for at least the reason that Blair fails to disclose or suggest each and every element of the claimed invention. With respect to claim 9, Blair fails to disclose or suggest at least “wherein the mount is configured to hold a portion of the first facet of the optical component against the housing.” Figure 1 of Blair does not show the first facet of spacer 35 as contacting any portion of the housing 20. While Blair recites that “[s]tep 32 provides a surface or stop for the mounting of an optical spacer 35,” Figure 1 shows that step 32 is used to engages the sides, and not a first facet of spacer 35. Thus, claim 9 is allowable at least because Blair fails to disclose or suggest each and every element. Claim 15 is allowable at least for its dependence on claim 9. For at least these reasons, the rejection of claims 9 and 15 under 35 U.S.C. § 102(e) should be withdrawn.

Rejections Under 35 U.S.C. § 103

Applicants traverse the rejection of claims 11, and 16-17 under 35 U.S.C. § 103(a) as being unpatentable over Kuhn for at least the same reasons as discussed above with respect to claim 9. Claims 11, and 16-17 are allowable at least for their dependence on claim 9.

Applicants traverse the rejection of claims 13 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Kuhn in view of Tonai for at least the reason that the Office Action did not establish that either reference, either alone or in combination, discloses or suggests each and every element in the of the claimed invention. As discussed above, Kuhn fails to disclose or suggest each and every element of claim 9, from which claims 13 and 14 depend. Tonai is not cited as correcting the deficiencies noted with respect to claim 9. Because the Office Action did not establish a *prima facie* case of obviousness, claims 13 and 14 are in condition for allowance.

Applicants traverse the rejection of claims 1-8, 16, 17, and 20-25 under 35 U.S.C. § 103(a) as being unpatentable over Kuhn in view Shirasaki for at least the reason that the Office Action did not establish that either reference, either alone or in combination, discloses or suggests each and every element of the claimed invention. With respect to claim 1, and as

discussed above, Kuhn does not disclose or suggest at least “a mount configured to position the optical component within at least a portion of the port... and wherein the mount is configured to hold a portion of the first facet of the optical component against the housing,” which is recited in claim 1. Similarly, Shirisaki also does not disclose or suggest the recited element.

With respect to claim 20, neither of the cited references discloses or suggests at least “wherein the opening for receiving a terminal end of the optical fiber includes a post [and] a ferrule having the optical fiber connected thereto, the post being configured to extend into the ferrule.” Because neither reference discloses or suggests each and every element of the claimed invention, the Office Action failed to establish a *prima facie* case of obviousness with respect to claim 20. Claims 2-7, 16, 17, 20, 22, and 23 are allowable at least for their dependency on an allowable independent claim. Claims 8, 21, 24, and 25 were canceled, obviating the rejection of those claims. For at least these reasons, the rejection of claims 1-8, 16, 17, and 20-25 under 35 U.S.C. §103(a) should be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims. The Examiner is encouraged to contact the undersigned if the Examiner believes that a telephone interview or Examiner's amendment will further the prosecution of this application.

Respectfully submitted,

WORKMAN NYDEGGER

A handwritten signature in black ink, appearing to read 'F. Chad Copier', written over a horizontal line.

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